IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 11370 of 2004

Between:

1 Khaja Qutubuddin, S/o Mohd. Yousufuddin,
Central Power Distribution Company of AP.Ltd., Operation Circle, Siddipet Division, Medak at Sanga Reddy, R/o H.No.12-4-139, Moinpura Street, Siddipet, Medak Dist-502103.
2 Mahmood Abdul Mugni Sajjab, S/o M.A.Razzak,
Central Power Distribution Company of AP.Ltd., Operation Circle, Siddipet Division, Medak at Sanga Reddy, R/o H.No.12-4-86/17/A/4, Naseernpura Colony, Siddipet, Medak Dist-502103.

..... PETITIONERS

AND

1 The Chairman & MD, AP Central Power Distribution Ltd.,
Singareni Bhavan, Red Hills, Hyd.
2 The Superintendent Engineer (Operation), Central Power

Distribution Company of AP.Ltd.,
Medak at Sanga Reddy.
3 The Divisional Engineer (Operation), Central Power Distribution

Company of AP.Ltd.,
Siddipet, Medak Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondent in not disposing of the appeal dt.9.2.04 filed by the petitioners aggrieved by the rejection lettersNo.SE/O/MDK/PO/Adm/A1/D.No.700/2000,dt.5.5.2000 Letter No.SE/O/MDK/PO/Adm/A1/D.No.738/2000, dt.12.5.2000 issued by the 2nd respondent to the petitioners as arbitrary illegal and violative of Art.14, 16 and 21 of

he constitution of India and consequently direct the 1st respondent to dispose of he appeal dt.9.2.04

Counsel for the Petitioner: MR.G.CHANDRAIAH

Counsel for the Respondent Nos.1 to 3: MR.S.RAVINDRANATH

(SC FOR APCPD)

The Court made the following:

HONOURABLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.11370 OF 2004

ORAL ORDER:

The petitioners are working as contract labour in the respondents Distribution Company. Their request, for absorbing them as regular employees, was said to be rejected by the second respondent.

2 . The petitioners, being aggrieved by the said order, preferred W.P.No.5908 of 2003, and subsequently they had withdrawn the said writ petition on the ground that they preferred an appeal before the first respondent on 09-02-2004 and it is pending consideration.

3. The petitioners now came up with the present writ petition praying to direct the first respondent to dispose of the appeal.

4. The learned counsel for the respondents submitted that the appeal, said to be preferred by the petitioners, is not a statutory one and as the second respondent passed an order giving sufficient reasons for the rejection of their request for regularization of their service, no further order need be passed by the first respondent on the appeal dated 09-02-2004.

5. Whenever a representation is made, if it is governed by a statute, the concerned authority has to pass appropriate orders on merits. If it is not governed by the statute, he has to give disposal to the said representation at the earliest possible time. It is for the first respondent to consider whether it is a statutory appeal or not, and to pass appropriate orders. The first respondent is therefore, directed to communicate the order, if any, passed on the said representation dated 09-02-2004, if not to pass appropriate order and

communicate the same to the petitioner within four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is accordingly disposed of.

Dr. G.YETHIRAJULU, J.

21st July, 2004.

SKM*/USD

TO

1 The Chairman & MD, AP Central Power Distribution Ltd.,
Singareni Bhavan, Red Hills, Hyd.
2 The Superintendent Engineer (Operation), Central Power

Distribution Company of AP.Ltd.,
Medak at Sanga Reddy.
3 The Divisional Engineer (Operation), Central Power Distribution

Company of AP.Ltd.,
Siddipet, Medak Dist.

4 Two C.D.Copies.